

**Department of Agriculture, Division of Animal Health**  
**Notice of Hearing on Proposed**  
**Administrative Regulations, Statewide**

A public hearing will be conducted at 10:00 a.m., Tuesday, October 13, 2020, via a telephone conferencing system to consider the adoption of proposed regulations. To participate you will need to dial 1-866-620-7326 at the designated time. When prompted, enter the following conference code number 7504763771, followed by the pound sign (#). If asked if you are the leader, do nothing. When prompted, state your name. You will then be placed in a holding pattern until all participants are on the line. Public comments will be limited to written and/or telephonic comments only.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, 66502, or by e-mail at [ronda.hutton@ks.gov](mailto:ronda.hutton@ks.gov). Comments may also be submitted online at <https://www.agriculture.ks.gov/document-services/public-comment>. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows:

K.A.R. 9-2-35 establishes the interstate entry requirements for sexually intact cattle or bison from Designated Surveillance Areas (DSA) into Kansas. This regulation will require cattle or bison being imported from DSA's to be officially identified. Currently, the United States Department of Agriculture's (USDA) Animal Disease Traceability rule requires animals to be identified only if they are aged 18 months or older. However, this regulation does not require anything beyond what origination states commonly require for intrastate movement from DSA's.

This regulation should not restrict any business opportunities as the only requirement is that the animals being moved be identified and that information be provided to the state. Business opportunities may be enhanced because this regulation will make it easier to trace the spread of a contagious disease and potentially limit its overall impact on the livestock markets.

This regulation is not expected to have an economic effect on specific businesses, sectors, public utility ratepayers, individuals, or local governments.

Farmers and ranchers importing sexually intact cattle or bison from DSA's would be directly affected by the proposed regulation.

Cost is minimal or none for Kansas entities. Benefit is to ensure origin of cattle or bison is established as part of the import record and testing has been accomplished to prove negative status for those cattle or bison that pose the greatest risk exposing Kansas cattle herds to contagious diseases.

The steps required for entry of sexually intact cattle or bison from DSA's into Kansas will be the responsibility of the importing party. Regulation compliance costs will be incurred by the importing party. No expected financial impact on Kansas producers.

The proposed regulation was mailed to the League of Kansas Municipalities, the Kansas Association of Counties and the Kansas Association of School Boards for review and comments. No comments have been received from any of the entities.

The proposed regulation was sent to Kansas livestock stakeholder associations such as Kansas Livestock Association (KLA) and Kansas Farm Bureau. It was presented at the KLA annual conference for review and discussion. It was presented to the Animal Health Advisory Board for review and comments.

K.A.R. 9-3-9 removes the negative brucellosis test requirement for imported adult domesticated cervids. It also adds the genera, Rangifer (reindeer and caribou) to the list of cervids required to have a five-year chronic wasting disease (CWD) herd status before being imported into the state.

This regulation will add the genera, Rangifer, to those cervid genera that are required to have a negative CWD herd status before they will be allowed import to Kansas. This requirement exceeds the current United States Department of Agriculture (USDA) requirements because the susceptibility of the Rangifer genera has just been established.

Removal of the brucellosis testing requirement may enhance business activity by reducing the regulatory requirements currently in place for imported cervids by no longer requiring testing. Entities importing reindeer and caribou will potentially see an increase in restrictions and testing requirements to qualify as part of the USDA-Animal and Plant Health Inspection Service herd certification program to import those animals into the state.

No significant impact is expected on local or state entities. Minimal savings may occur due to the reduction in inspections and paperwork review costs by KDA. Cervid importers may also see some small savings in paperwork and verification costs. Reindeer and caribou owners may incur increased costs by locating USDA certified herds or for certifying their own herds.

Farmers and ranchers importing cervids from specific listed genera would be directly affected by this proposed regulation.

Cost is minimal or none for Kansas entities. The redaction of the brucellosis testing requirement will potentially allow for importation at a reduced cost to producers. Addition of reindeer and caribou to the CWD susceptible species list and the subsequent certification required will increase the due diligence and potential cost of importation for herds outside of Kansas.

Steps required for adult domesticated cervids entry into Kansas will be the responsibility of importing party. Regulation compliance costs will be incurred by importing party. No expected financial impact on Kansas producers.

The proposed regulation was mailed to the League of Kansas Municipalities, Kansas Association of Counties and the Kansas Association of School Boards for review and comments. No comments have been received from the entities.

The proposed regulation was sent to the Kansas livestock stakeholder associations such as Kansas Livestock Association (KLA) and Kansas Farm Bureau. It was presented at the KLA annual conference for review and discussion. It was also presented to the Animal Health Advisory board for review and comments.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed regulations and impact statement in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton at (785) 564-6715 or fax (785) 564-6777.

Copies of the regulations and their economic impact statement may be obtained by contacting the Department of Agriculture, Ronda Hutton, 1320 Research Park Drive, Manhattan, KS 66502 or (785) 564-6715 or by accessing the department's website at [agriculture.ks.gov](http://agriculture.ks.gov). Comments may also be made through our website under the proposed regulation.

Michael M. Beam  
Secretary  
Kansas Department of Agriculture